

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

MICHAEL J. MAYS,

Petitioner,

v.

JEFF DUNN,

Respondent.

Case No. 2:20-cv-01823-LCB-SGC

**MEMORANDUM OPINION**

The magistrate judge entered a report on January 11, 2021, recommending the court dismiss Petitioner Michael J. Mays's petition for a writ of habeas corpus as successive, pursuant to 28 U.S.C. § 2244(b)(3)(A). (Doc. 7). The magistrate judge further recommended denial of a certificate of appealability. (*Id.* at 6-7). Although the magistrate judge advised Mays—who is represented by counsel—of his right to file objections to the report and recommendation within fourteen days, no objections have been received by the court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court **ADOPTS** the magistrate judge's findings and **ACCEPTS** her recommendation. Mays's petition for a writ of habeas corpus is due to be dismissed without prejudice for lack of jurisdiction because he has not received authorization from the Eleventh Circuit to

file a successive habeas petition. *See* 28 U.S.C. § 2244(b)(3)(A). A certificate of appealability is due to be denied.

A separate order will be entered.

**DONE** and **ORDERED** February 4, 2021.

A handwritten signature in black ink, appearing to read 'Liles C. Burke', is written over a horizontal line.

**LILES C. BURKE**  
UNITED STATES DISTRICT JUDGE